

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DYLAN GIBBONS,

Plaintiff,

- v -

Civ. No. 9:12-CV-1605
(FJS/RFT)

S. PRINDLE

Defendant.

RANDOLPH F. TREECE

United States Magistrate Judge

DECISION and ORDER

On May 23, 2014, the Court issued a Decision and Order ruling that, *inter alia*, I would conduct an *in camera* review of Defendant Prindle's personnel files and the Department of Corrections and Community Supervision Directives ## 2111 and 2260. Dkt. No. 28 at p. 4.

On June 19, 2014, the Court performed a thorough *in camera* review of the above-mentioned items. Based upon the review, the Court finds the following:

- 1) Directive #2260 pertains specifically to correctional officers' conduct outside of their employment, whether business or political, and the submission of financial disclosure statements of those deemed to be policymakers. In light of the nature of this action, and in the broader context, Directive #2260 is not relevant nor calculated to lead to admissible evidence, with one exception. Paragraph designated X deals with an employee's duty to report corruption, fraud, and other abuses. Not certain of this paragraph's total relevance to this litigation, it is conceivable that it could lead to admissible evidence. Therefore, Directive #2111 shall be disclosed in redacted form: Only the Caption and Paragraphs I and X shall be disclosed to Gibbons.
- 2) Directive # 2111 concerns the duty to report employee misconduct. Again, not completely certain of its relevance in this litigation, it still may lead to admissible evidence. This Directive shall be disclosed.
- 3) A review of Prindle's personnel file does not reveal any relevant information nor impeachment material. Accordingly, Prindle's personnel file will not be disclosed.


Based upon the foregoing, it is hereby

ORDERED, that Defendant's Counsel retrieve these records from Chambers forthwith. A copy of the redacted Directive #2260 and a full version of Directive #2111 shall be served upon Gibbons promptly; and it is further

ORDERED, that the Clerk of the Court mail a copy of this Decision and Order to Dylan Gibbons at this last known address.

IT IS SO ORDERED.

June 19, 2014
Albany, New York



Randolph F. Treece
U.S. Magistrate Judge